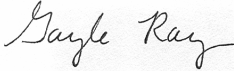
 <p style="text-align: center;">ADMINISTRATIVE POLICIES AND PROCEDURES State of Tennessee Department of Correction</p>	Index #: 305.03	Page 1 of 3
	Effective Date: September 15, 2005	
	Distribution: A	
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<p>Approved by: </p>		
Subject: EMPLOYEE/OFFENDER RELATIONSHIPS		

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, and TCA 39-16-402.
- II. PURPOSE: To establish guidelines for employee and inmate/probationer/parolee relationships.
- III. APPLICATION: To all Tennessee Department of Correction (TDOC) staff, inmates, volunteers, TRICOR staff, employees of privately managed institutions, contract employees and vendors, and interns.
- IV. DEFINITIONS:
 - A. Departmental: Any rule, regulation, or function pertaining to a TDOC or privately managed institution.
 - B. Offender: Any incarcerated inmate, any person currently on active probation or parole supervision, or any former inmate who has been discharged from TDOC custody or probation/parole supervision for less than one (1) year.
 - C. Employee: For purposes of this policy only, an employee is considered to be any individual employed by the TDOC, any individual serving as a volunteer to the department, any contract employee providing services to the department, any TRICOR employee, and any intern.
 - D. Sexual Misconduct: Any unwanted behavior or unwanted act of a sexual nature directed towards any individual by an employee, visitor, or agency representative.
 - E. Sexual Harassment: Unwelcome or unsolicited sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.
 - F. Sexual Contact: The intentional touching of another individual or of the individual's intimate parts and/or clothing covering the individual for the purpose of sexual arousal or gratification.
 - G. Sexual Abuse: The subjection of another person to any sexual act or contact between an employee, visitor, or agency representative by force, persuasion, inducement, or enticement.
- V. POLICY: Relationships between TDOC employees and offenders shall be only of a professional nature. All offenders shall be treated equally in a non-discriminatory manner.
- VI. PROCEDURES:
 - A. Employees shall conduct themselves in a professional manner when interacting with offenders.

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- B. It is the duty of each employee to correct all incarcerated offenders observed in violation of Departmental rules and regulations in a fair, consistent, and impartial manner.
- C. Conversation with inmates shall be limited to that necessary as part of the employee's duties. Inmate questions which cannot be answered shall be referred to the immediate supervisor. Inmates shall be addressed by name, rather than TDOC numbers.
- D. Social relationships are prohibited, including but not limited to emotional, sexual, or romantic attachments with offenders in an institution, offenders on parole or probation, and former inmates who have been discharged from TDOC custody or probation/parole supervision for less than one year.
- E. Sexual contact between employees and inmates, regardless of consensual status, is prohibited and subject to administrative and criminal disciplinary sanctions. See Policy #502.06, Sexual Assault of Inmates.
- F. Social relationships are also prohibited with relatives, family, and/or clearly identifiable close associates of such persons unless written approval is obtained from the commissioner for central office employees, Wardens for institutional employees, Academy superintendent for TCA employees, or the Executive Director of TRICOR immediately upon establishment of such relationships. When an employee is related in any way to an offender and/or an offender's relatives, the employee will report this fact to the Warden or central office director upon employment or when the relationship becomes known to the employee. Upon receipt of this information, the local manager and appropriate assistant commissioner will review and determine appropriate action to be taken.
- G. Allegations of employee sexual misconduct, sexual harassment, sexual contact and/or sexual abuse shall be investigated in accordance with Tennessee Department of Correction policies and Tennessee statutes. If the accusations are found meritorious, then the employee(s) shall be subject to disciplinary actions, up to and including termination, or appropriate actions where necessary, in accordance with Tennessee statute and TDOC policies. Consent on the part of an offender is not a defense on the part of the employee as a response to charges of any form of sexual misconduct. (See Policy #502.06, Sexual Assault of Inmates.)
- H. An employee shall not trade, barter, or enter into any business transaction or maintain any business relationship with offenders or their families except as outlined in Policy #510.02, nor shall an employee carry, mail, pass, or throw contraband in or out of any correctional institution. An employee shall not donate items to offenders or their families without prior approval of the Warden. Should an employee have knowledge of any employee engaged in such trafficking, it is the employee's duty to report such information to his/her supervisor. Failure to do so shall result in disciplinary action. Any attempt by an employee to communicate or do business with offenders or their families through their relatives and/or clearly identifiable close associates in an effort to circumvent this policy shall be a violation of this policy.

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- I. Exchange of correspondence or telephone conversations for any purpose other than related to official duty shall be considered a violation of this policy and shall result in disciplinary action being taken.
- J. The Warden/designee shall post incompatible notices on TOMIS conversation LIBA listing employee(s) and/or offender(s) that have been determined to be incompatible based on an investigation conducted by the Warden/designee including, but not limited to, the following reasons:
 - 1. Assault by an offender with resulting serious physical injuries to the staff
 - 2. Sexual assault upon the staff member
 - 3. Employee's immediate family is a victim of the offender's crime which results in serious physical injury or death
 - 4. Staff gave testimony which caused the offender to be sent to the TDOC or whose testimony caused the offender to receive an additional sentence while incarcerated, i.e., death sentence, etc.
 - 5. A member of staff's immediate family gave testimony which may have resulted in the offender being incarcerated in TDOC
 - 6. OPTIONAL: If any staff member has a close relative, immediate family member, or close personal friend incarcerated within the same institution
 - 7. Other reasons if approved by the Assistant Commissioner of Operations.
- K. By January 1, 2006, Central Office shall disseminate signs declaring the Department's zero tolerance policy regarding employee/offender relationships to all institutions. These signs shall be prominently posted at checkpoint, sallyport, and additional areas deemed appropriate by the Warden.
- L. An employee who witnesses or knows of a violation of this policy must promptly report the violation. Any employee who fails to promptly report a violation shall be subject to disciplinary action, up to and including termination. An employee who retaliates against any person for reporting or providing information concerning a violation of this policy shall be subject to disciplinary action, up to and including, termination.

VII. ACA STANDARDS: 4-4281-6, 4-4281-1, and 4-4281-3.

VIII. EXPIRATION DATE: September 15, 2008.